

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:09CR3072
)	
V.)	
)	
JEMAIN LARON SIDNEY,)	MEMORANDUM
)	AND ORDER
Defendant.)	
)	

There are motions and an objection to tentative findings pending. Having carefully considered these matters,

IT IS ORDERED that:

1. For essentially the reasons set forth in the government's brief (filing no. [89](#)), the defendant's motion to withdraw his plea of guilty (filing no. [85](#)) is denied.
2. I intend to sentence the defendant to the statutory minimum custodial sentence of 120 months in prison as suggested by the revised sentencing recommendation dated November 8, 2010 and my Memorandum and Order dated October 12, 2010 (filing no. [84](#)).
3. The objection to the presentence report (filing no. [74](#)) and the objection to tentative findings (filing no. [80](#)) are denied as moot in light of paragraph 2 above. Accordingly, no evidentiary hearing is required for sentencing.

4. Sentencing in this matter is set for Thursday, January 13, 2011, at 1:00 p.m.

DATED this 30th day of November, 2010.

BY THE COURT:

Richard G. Kopf

United States District Judge